

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BABICH et al.
Title: TECHNETIUM-AND RHENIUM-BIS(HETEROARYL)
COMPLEXES, AND METHODS OF USE THEREOF
Appl. No.: 10/589,206
International Filing Date: 2/14/2005
371(c) Date: 12/17/08
Examiner: Dameron Levest Jones
Art Unit: 1618
Confirmation Number: 7163

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner Jones:

In response to the restriction requirement set forth in the Office Action mailed January 03, 2011, Applicant hereby provisionally elects Group I, Claims 26-28 and 81, for examination, without traverse.

The Examiner has required restriction between:

Group I: Claims 26-28 and 81, drawn to compounds (and compositions thereof) encompassed by Formula (1);

Group II: Claims 52-55 and 81, drawn to compounds (and compositions thereof) encompassed by Formula (2);

Group III: Claims 56-62 and 81, drawn to compounds (and compositions thereof) encompassed by Formula (3);

Group IV: Claims 63-70 and 81, drawn to compounds (and compositions thereof) encompassed by Formula (4)

Group V: Claims 71-81, drawn to compounds (and compositions thereof) encompassed by Formula (5);

Group VI: Claims 82 and 83, drawn to a method of imaging a subject by administering compounds encompassed by Formula (1);

Group VII: Claims 82 and 83, drawn to a method of imaging a subject by administering compounds encompassed by Formula (2);

Group VIII: Claims 82 and 83, drawn to a method of imaging a subject by administering compounds encompassed by Formula (3);

Group IX: Claims 82 and 83, drawn to a method of imaging a subject by administering compounds encompassed by Formula (4);

Group X: Claims 82 and 83, drawn to a method of imaging a subject by administering compounds encompassed by Formula (5); and

Group XI: Claim 84, drawn to a method of preparing a peptide conjugate incorporating compounds encompassed by Formula (2).

The Examiner has also required that a species be elected for the purposes of the search and initial examination. Applicant accordingly identifies as a species, solely for the purposes of the search, the compound of Formula I, where L is quinolinyl, R is $(\text{CH}_2)_4\text{CH}(\text{NH}_2)(\text{COOH})$; Z is COOH ; and m and n are 1.

Applicant does not believe that any fees are due with this response, however, the Commissioner is hereby authorized to charge any fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-

0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extension fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 1, 2011

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